IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 17TH NOVEMBER 2006 / 26TH KARTHIKA 1928

WP(C).No. 29748 of 2006(N)

PETITIONER:

AMMINI, W/O. LATE GOVINDAN,
ATTUPURATHU HOUSE, ERAVIMANGALAM.

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:

1. THE JOINT REGISTRAR (GENERAL),
OFFICE OF THE ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES, TRICHUR.

2. NADATHARA FARMERS CO-OPERATIVE BANK
NO.3499, REPRESENTED BY THE SECRETARY, NADATHARA,
TRICHUR.

3. SPECIAL SALE OFFICER,
NADATHARA-MOOSPET GROUP, OFFICE OF THE
ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL),
TRICHUR.

4. STATE OF KERALA,
REP.BY THE SECRETARY, DEPT. OF CO-OPERATIVE SOCIETIES, SECRETARIAT, THIRUVANANTHAPURAM.

BY SENIOR GOVT. PLEADER SRI.P.N.SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M. JAMES, J.

W.P.(C) No. 29748 of 2006

Dated this the 17th November, 2006.

J U D G M E N T

The petitioner is before this Court praying to allow her to remit the amount due to the second respondent, Nadathara Farmers Co-operative Bank No.3499, as an amount of Rs.44,074/= with interest and other expenses are claimed to be due to the Bank, and Ext.P2, an auction notice of the mortgaged property, was issued to the petitioner. It is also further submitted by the counsel for the petitioner that the petitioner may be granted an one time settlement facility, as per the Circular. A representation to that effect had already been preferred before the second respondent, Bank, as evidenced by Ext.P3.

2. In the above facts situation, I dispose of the writ petition, directing the writ petitioner to approach the 2nd respondent, bank, who shall consider Ext.P3 representation, dated 3.10.2006, pending before it, and extend the benefit of one time settlement, as contained in Circular No.27/2006 dated 29.6.2006. If Ext.P3 representation is not available with it, the petitioner shall be allowed to

file a representation, afresh. The second respondent shall consider the same, and pass orders, on merit, in the light of the directions contained in the Circular No. 27/2006. This shall be done within one month from today.

3. Till a final order is passed on the representation of the petitioner, all further proceedings initiated pursuant to Ext.P2 auction notice dated 22.9.2006, shall be kept in abeyance.

J.M. JAMES,
JUDGE

nj.